

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FILED  
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UNITED STATES OF AMERICA, )  
 )  
 vs. )  
 )  
 FRANK KEOUGH, ET AL. )  
 )  
 Defendant. )

CRIM. NO. 04-30032-MAP

U.S. DISTRICT COURT  
DISTRICT OF MASS.

INITIAL JOINT MEMORANDUM PURSUANT TO LOCAL RULE 116.5(A)

The United States of America, by and through Michael J. Sullivan, United States Attorney for the District of Massachusetts, and William M. Welch II, Assistant United States Attorney, hereby files this initial joint memorandum pursuant to Local Rule 116.5(A) and the Magistrate Judge's Scheduling Order as follows:

1. The parties agree that relief should not be granted from the otherwise applicable timing requirements imposed by Local Rule 116.3. To date, the parties continue to inspect and review automatic discovery in the Government's possession.

2. On April 22, 2005, defendant Keough requested discovery under FRCP 16(a)(1)(G); defendants Guzman and Hallahan have not made such requests. The Government hereby renews its request for reciprocal discovery from defendant Keough under Rule 16.

3. The parties do not expect to provide any additional discovery as a result of the future receipt of information,

documents, or reports of examinations or tests.

4. The parties agree that a motion date should not be set under FRCP 12(c) at this time. The defendants are still in the process of reviewing discovery.

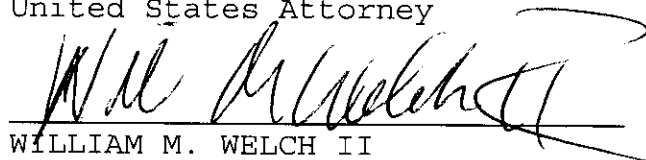
5. Excludable delay should be ordered under 18 U.S.C. § 3161(h)(8)(A) and Local Rule 112.2(A)(1), (2), and (3) from the date of arraignment through the status conference on May 16, 2006. Defense counsel are still in the process of reviewing discovery and formulating discovery requests. Exclusion would be in the interest of justice.

6. The parties believe at this point that a trial should be anticipated. At this time, the Government would estimate a trial of four weeks.

7. A status conference should be set for mid-August, 2006.  
Filed this 16th day of May, 2006.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney



WILLIAM M. WELCH II  
Assistant United States Attorney

For defendant Frank Keough:

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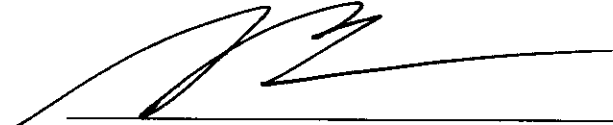
DANIEL KELLY, ESQ.

For defendant Angel Guzman:

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LORI LEVINSON, ESQ.

For defendant Michael Hallahan:



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MICHAEL FOY, ESQ.

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Respectfully submitted,

MICHAEL C. SULLIVAN  
United States Attorney

\_\_\_\_\_  
WILLIAM H. WELCH II  
Assistant United States Attorney

For defendant Frank Keough:

  
\_\_\_\_\_  
DANIEL KELLY, ESQ.

CERTIFICATE OF SERVICE

Hampden, ss.

Springfield, Massachusetts  
May 16, 2006

I, William M. Welch, Assistant U.S. Attorney, do hereby  
certify that I have served a copy of the foregoing by fax upon:

Daniel Kelly, Esq.  
101 State Street  
Suite 715  
Springfield, MA 01103

Lori Levinson, Esq.  
66 West Street  
Pittsfield, MA 01201

Michael Foy, Esq.  
935 Main Street, Suite 203  
Springfield, MA 01103

A handwritten signature in black ink, appearing to read "Will M. Welch II", is written over a horizontal line.

WILLIAM M. WELCH II  
Assistant United States Attorney